

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----  
MYUN-UK CHOI, JIN-HO JUNG, SUNG-  
HUN JUNG, SUNG-HEE LEE, and KYUNG-  
SUB LEE, Individually and on Behalf of All  
Others Similarly Situated,

Case No.: 14-cv-9912 (KMW)  
**Oral Argument Requested**

Plaintiffs,

vs.

TOWER RESEARCH CAPITAL LLC and  
MARK GORTON,

Defendants.  
-----

**NOTICE OF MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Tower's and Gorton's Motion to Dismiss the First Amended Complaint, and the Declaration of Robert W. Trenchard, dated May 13, 2016, and exhibits thereto, Defendants in the above-captioned proceedings, by their attorneys, will move before the Honorable Kimba M. Wood, United States District Judge, of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an Order pursuant to Federal Rules of Civil Procedure 8(a), 9(b) and 12(b)(6), dismissing with prejudice all claims in Plaintiffs' First Amended Complaint.

Dated: May 13, 2016

Respectfully submitted,

**GIBSON, DUNN & CRUTCHER LLP**

By: /s/ Robert W. Trenchard  
Robert W. Trenchard  
William J. Moccia  
200 Park Avenue  
New York, NY 10166  
Telephone: (212) 351-3942  
Facsimile: (212) 351-5242  
rtrenchard@gibsondunn.com  
wmoccia@gibsondunn.com

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

Matthew L. Beville, *of counsel*  
1875 Pennsylvania Avenue  
Washington, DC 20006  
Telephone: (202) 663-6255  
Facsimile: (202) 663-6363  
matthew.beville@wilmerhale.com

***Attorneys for Defendants Tower Research  
Capital LLC and Mark Gorton***